

GJP

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BB

ANDREW B. COONEY and DIANE A.
COONEY,

Plaintiffs,

v.

STEVEN M. DUNNER, *et al.*,

Defendant.

CIVIL ACTION
NO. 16-3707

FILED

AUG 31 2017

KATE BANKMAN, Clerk
By: *[Signature]* Dep. Clerk

ORDER

AND NOW, this 31st day of August, 2017, upon consideration of the Plaintiff's Motion for Default Judgment, (ECF No. 21), it is hereby **ORDERED** that the Motion is **GRANTED**. Default Judgment is entered pursuant to Federal Rule of Civil Procedure 55(b) in favor of the Plaintiffs and against Defendants Steven M. Dunner and Ally Financial, Inc.

It is further **ORDERED** that:

1. The Clerk of Court shall mail a certified copy of this Order to the Bucks County Recorder of Deeds Office and mark this case **CLOSED** for statistical purposes.
2. Certain judgment in the amount of \$14,957.65 entered in favor of Ally and against Steven M. Dunner in the action, *Ally Financial, Inc. v. Dunner*, Court of Common Pleas of Bucks County, Docket Number 2012-03197, is not, and has never been, a valid judgment lien against the property located at 143 South Baringer Avenue, Silvadale Borough, Bucks County, Pennsylvania,

BB

18962, Tax Parcel Number 40-6-15-1, a metes and bounds description of which is attached to this Order.

3. The following three Deeds are hereby reformed to substitute, in its entirety, the metes and bounds description of the property attached to this Order for the incomplete metes and bounds descriptions of the Property contained in, or attached to, the Deeds:
 - a. Deed dated November 17, 2006 from Steven M. Dunner and Daniel L. Kelly, as grantors, to David W. Kern and Cynthia S. Kern, as grantees, and recorded in the Bucks County Recorder of Deeds Office in Book 5336, Page 1735;
 - b. Deed dated June 14, 2013 from David W. Kern and Cynthia S. Kern as grantors, to the Plaintiffs, as grantees, and recorded in the Bucks County Recorder of Deeds Office as Instrument No. 2013052268;
 - c. Deed dated June 14, 2013 from Plaintiffs, as grantors, to the Plaintiffs, as grantees, and recorded in the Bucks County Recorder of Deeds Office as Instrument No. 2013052268; and
4. The Bucks County Recorder of Deeds Office shall, upon receipt of a certified copy of this Order and the tender of the appropriate recording fee, record and index this Order against the Property and against the names of Ally Financial, Inc., Steven M. Dunner, Daniel L. Kelly, David W. Kern, Cynthia S. Kern, Andrew B. Cooney and Diane A. Cooney.

BY THE COURT:

Gerald J. Pappert
GERALD J. PAPPERT, J.

8/31/17 Enrolled

ENTERED

AUG 31 2017

CLERK OF COURT

xcc: BCR DO

ALL THAT CERTAIN tract or parcel of land situate in the Borough of Silverdale, County of Bucks and Commonwealth of Pennsylvania being Lot No. 1 bounded and described according to a Plan entitled "Record Plan, Major Subdivision for TMP 40-6-19, 40-6-16 and 15-28-76 last dated August 14, 2006 as prepared by Cowan Associates, Inc., Quakertown, PA recorded in Plan Book 343 page 90 as follows, to wit:

BEGINNING at a point, said point being on the northerly legal right-of-way line of South Beringer Avenue, S.R. 152 (40 foot half width) said point being in the line of lands now or formerly of John Kasl, Tax Map Parcel 40-3-107; thence (A) from said point of beginning, along lands of Kasl North 38 degrees 45 minutes 00 seconds East 200.05 feet to a point; thence (B) along the line of lands now or formerly of the following: John Kasl, Tax Map Parcel 40-3-109; Darrel and Donna Trentor, Tax Map Parcel 40-3-108; William and Ruth Scott, Tax Map Parcel 40-3-109; Guy T. and Brighton Stump, Tax Map Parcel 40-3-110 and E. Joel and Joyce H. Rosenberg, Tax Map Parcel 40-3-111, North 51 degrees 15 minutes 00 seconds West 426.89 feet to a point; thence (C) along lands to be conveyed to Tax Map Parcel 40-3-118, North 38 degrees 59 minutes 30 seconds East 269.05 feet to a point; thence (D) along the line of lands now or formerly of Charles L. Bolton, Tax Map Parcel 15-11-60 South 46 degrees 05 minutes 26 seconds East 433.19 feet to a point; thence (E) along Lot No. 2 as referenced on said subdivision plan, South 43 degrees 34 minutes 34 seconds West 83.00 feet to a point; thence (F) still along Lot No. 2 South 04 degrees 09 minutes 13 seconds West 179.10 feet to a point; thence (G) still along Lot No. 2 South 38 degrees 45 minutes 00 seconds West 200.05 feet to a point on the northerly legal right-of-way line of South Beringer Avenue; thence (H) along said northerly legal right-of-way line of South Beringer Avenue North 51 degrees 16 minutes 00 seconds West 100 feet to the first mentioned point and place of BEGINNING.

CONTAINING 3.0744 acres of land, more or less.